C3

United States Environmental Protection Agency
Washington, D.C. 20460

Water Compliance Inspection Report

Section A: National Data System Coding (i.e., PCS)

Transaction Code	NPDES	yr/mo/day	Inspection Type	Inspector	Fac Type
N	WA0000521	11/02/02	I	J	3

Remarks:

Inspection Work Days: 50 | Facility Self-Monitoring Evaluation Rating: | BI: | QA: | Reserved:

Section B: Facility Data

Name and Location of Facility Inspected *(For industrial users discharging to POTW, also include POTW name and NPDES permit number)*

Rhody Dairy, LLC
9056 Telegraph Road
Sumas, WA 98295

Entry Time/Date: 9:45AM/02/02/11

Exit Time/Date: 11:20AM/02/03/11

Permit Effective Date: —

Permit Expiration Date: —

Name(s) of On-Site Representative(s)/Title(s)/Phone and Fax Number(s)

Jay DeJong, Owner and Operator
[redacted]

Other Facility Data *(e.g., SIC NAICS, and other descriptive information)*

SIC = 0241
Lat: +48.9763
Long: -122.2538

Name, Address of Responsible Official/Title/Phone and Fax Number

Same as above.

Contacted: ☑ Yes ☐ No

RECEIVED
FEB 14 2011
U.S. EPA REGION 10
OFFICE OF COMPLIANCE AND ENFORCEMENT

Section C: Areas Evaluated During Inspection *(Check only those areas evaluated)*

☐ Permit	☐ Self-Monitoring Program	☐ Pretreatment	☐ MS4
☐ **Records/Reports**	☐ Compliance Schedules	☐ Pollution Prevention	
☑ Facility Site Review	☐ Laboratory	☐ Storm Water	
☑ Effluent/Receiving Waters	☑ Operations & Maintenance	☐ Combined Sewer Overflow	
☐ Flow Measurement	☐ Sludge Handling/Disposal	☐ Sanitary Sewer Overflow	

Section D: Summary of Findings/Comments

(Attach additional sheets of narrative and checklists, including Single Event Violation codes, as necessary)

SEV Codes / SEV Description

See the attached report.

Name(s) and Signature(s) of Inspector(s)	Agency/Office/Phone and Fax Numbers	Date
Joseph S. Roberto	EPA/OCE/206-553-1669	02/14/11
Kristin McNeill	EPA/OCE/206-553-6291	
Steven Hulbert	USDA / 360-961-7412	
Signature of Management Q A Reviewer: Kim Ogle	EPA/OCE 3-0955	2/16/11

10-3 (Rev 1-06) Previous editions are obsolete.

JES WA 0000521

PCS 2/16/2011 YBrown

NPDES
Inspection Report

Rhody Dairy, LLC

Sumas, Washington

February 2, 2011

Prepared by:
Joe Roberto, Environmental Engineer
Environmental Protection Agency, Region 10
Office of Compliance and Enforcement
NPDES Compliance Unit

Table of Contents

(Unless otherwise noted, all details in this inspection report were obtained from conversations with Jay DeJong or from observations during the inspection.

I. Facility Information

Facility Name:	Rhody Dairy, LLC
Facility Type:	Dairy (SIC 0241)
Facility/Mailing Address:	9056 Telegraph Road Sumas, Washington 98295 Whatcom County
Facility Phone #s:	(b) (6) [redacted]
Facility Contact(s):	Jay DeJong, Owner and Operator

II. Inspection Information

Inspection Date:	February 2, 2011
Arrival Time:	9:45 AM
Departure Time:	11:20 AM
Weather:	Cold and Dry
Purpose:	Determination of compliance with the Clean Water Act and an evaluation of the State of Washington CAFO program.

III. Permit Information

This facility is not currently covered by an NPDES permit.

IV. Background and Activity

The inspection of this facility is part of EPA Region 10's concentrated animal feeding operation initiative. This facility was selected for inspection based on available file information and on discussions between EPA and the Washington State Department of Agriculture (WSDA).

This dairy consists of three separate locations including the main farm located on Telegraph Road where the dairy cows are milked, a dry cow lot (also located on Telegraph Road) where dry cows are housed, and a location on Morgan Road where calves are temporarily confined.

See attachments A and B for details on facility components at this facility.

V. Individuals Present

The inspectors present throughout this inspection included Joe Roberto (EPA), Kristin McNeill (EPA), and Steven Holbert (WSDA).

The facility representative present at the time of the inspection was Jay DeJong.

VI. Inspection Entry

This was an unannounced inspection.

Upon arriving at the facility Ms. McNeill and I presented our credentials to Mr. DeJong.

Mr. DeJong accompanied us throughout the inspection. Mr. DeJong allowed us to inspect all areas of the facility that we wished to inspect.

VII. Inspection Chronology

Upon arriving at the facility we began the inspection with an opening conference where we discussed the purpose and expectations of the inspection. We then conducted a facility tour where we inspected the confinement area and waste storage facilities at each of the three separate locations of this facility. We also viewed portions of the land application areas and receiving waters located adjacent to this facility.

We then concluded the inspection with a closing conference where I discussed the areas

of concern I identified during the inspection.

VIII. Owner and Operator Information

According to Jay DeJong, he is the owner and operator of this facility.

IX. Number of Animals

According to Jay DeJong, the number of animals housed at this facility at the time of the inspection is as follows:

- Approximately 600 milking cows housed at the main facility,
- Approximately 100 dry cows housed at the dry cow lot, and
- Approximately 40 calves housed at the calf barn location.

X. Presence of Vegetation in the Confinement Areas

The confinement areas at each of the three locations of this facility consist of barns with concrete floors. I did not see any vegetation in any of the confinement areas.

See attachment B for details of the confinement areas at this facility.

XI. Length of Animal Confinement

According to Mr. DeJong, animals at the main facility and the dry cow lot are confined throughout the year.

The calf confinement area, however, contains calves temporarily from time to time during the year. Mr. DeJong said that calves are confined at this location for short periods of time before being hauled to an offsite location. He also said that this confinement area is empty during portions of the year.

XII. Waste Management Process

Waste generated at the main (milking) facility is mainly from the barns where the animals are confined. The waste generated at this facility is scraped from the barns and directed to a below ground pit. The waste collected in this pit is then pumped to a solids

separator. The liquid portion of this waste is then routed to an eight million gallon waste storage lagoon for long term storage until nearby field conditions are appropriate for land application.

The solids separated by the solids separator are exported offsite and utilized by berry farmers.

Similar to the main facility, the waste generated from the dry cow confinement area is mainly from the barns where the animals are confined. The waste management system at the dry cow confinement area consists of scraping waste from the confinement area into a below ground pit. The waste collected in this pit is then pumped to a two million gallon waste storage lagoon for long term storage until nearby field conditions are appropriate for land application.

The wastes generated at the location of the calf confinement area include the wastes from the calf confinement barn as well as runoff from the vicinity of the silage bunker. The waste from the calf barn is scraped and piled on a concrete slab until it can be land applied. The silage runoff is routed and collected in a sump and then pumped to a three million gallon waste storage lagoon for long term storage until nearby field conditions are appropriate for land application.

According to Mr. DeJong, land application at this dairy operation will be conducted by custom pumpers.

Although the three confinement areas that make up this facility are separate facilities which have their own waste handling system, Mr. DeJong said that the lagoons at each of these locations are connected by underground pipelines. Mr. DeJong said that, if needed, he could transfer wastewater from one lagoon to another.

See attachments A, B, and C for details of the waste management system at this facility.

XIII. Observed Discharge

I did not see wastewater from this facility enter waters of the United States at the time of the inspection.

XIV. Receiving Water

The nearest receiving water to this facility is the Sumas River.

XV. Sample Collection and Analyses

Samples were not collected at the time of this inspection.

XVI. Areas of Concern

We inspected the facility including the confinement areas and the waste handling systems. I saw several areas of concern at the time of the inspection. These areas of concern are described as follows:

A. Calf Confinement Area Lagoon Overflow At the time of the inspection of the calf confinement area, I inspected the waste storage lagoon at this location. During the inspection of this lagoon I saw that a notch was cut into the north side of the lagoon. Mr. DeJong estimated that this notch was approximately twelve feet wide and that it lowered the height of the lagoon wall approximately two feet. Mr. DeJong also said that this notch was cut into the lagoon in order to use an agitator to stir the lagoon contents.

During the inspection of this lagoon, I also saw that the water level in the lagoon was at the level of the notch. I did not see an overflow from the area of the notch; however, the lagoon wall in the area of the top of the notch appeared saturated.

See photograph #s 18 and 19 of attachment B for details.

This area of concern was brought to the attention of Mr. DeJong at the time of the inspection.

B. Calf Waste Pile Runoff At the time of the inspection of the calf confinement area, I saw that manure from the calf barn was scraped and piled on an uncovered concrete slab adjacent to the calf confinement barn. There was no discharge from the piled calf waste due to the frozen conditions at the time of the inspection. However, there was no mechanism in place to prevent runoff from this area from flowing off the concrete slab and flowing into a nearby field.

See photograph #s 13 to 16 of attachment B for details of this area of concern.

This area of concern was brought to the attention of Mr. DeJong at the time of the inspection.

C. Main Facility Lagoon Maintenance At the time of the inspection of the main facility, I inspected the waste storage lagoon. I saw a significant amount of blackberry growth on the outer east wall of the lagoon which stretched between the side of the lagoon and the Sumas River. See photograph #s 6 to 8 of attachment B for details.

The concern with this blackberry growth is the impact that such growth could have on the integrity of the lagoon. This area of concern was brought to the attention of Mr. DeJong at the time of the inspection.

This issue was also brought to the attention of Mr. DeJong during a state inspection conducted on September 29, 2010. See attachment C of this report for a copy of the inspection report prepared by Steven Holbert for this September 29, 2010 inspection.

XVII. Closing Conference

A brief closing conference was held with Mr. DeJong at the end of the inspection. We thanked Mr. DeJong for his time and cooperation during the inspection and we ended the inspection at approximately 11:20 AM.

Report Completion Date: 02/14/11

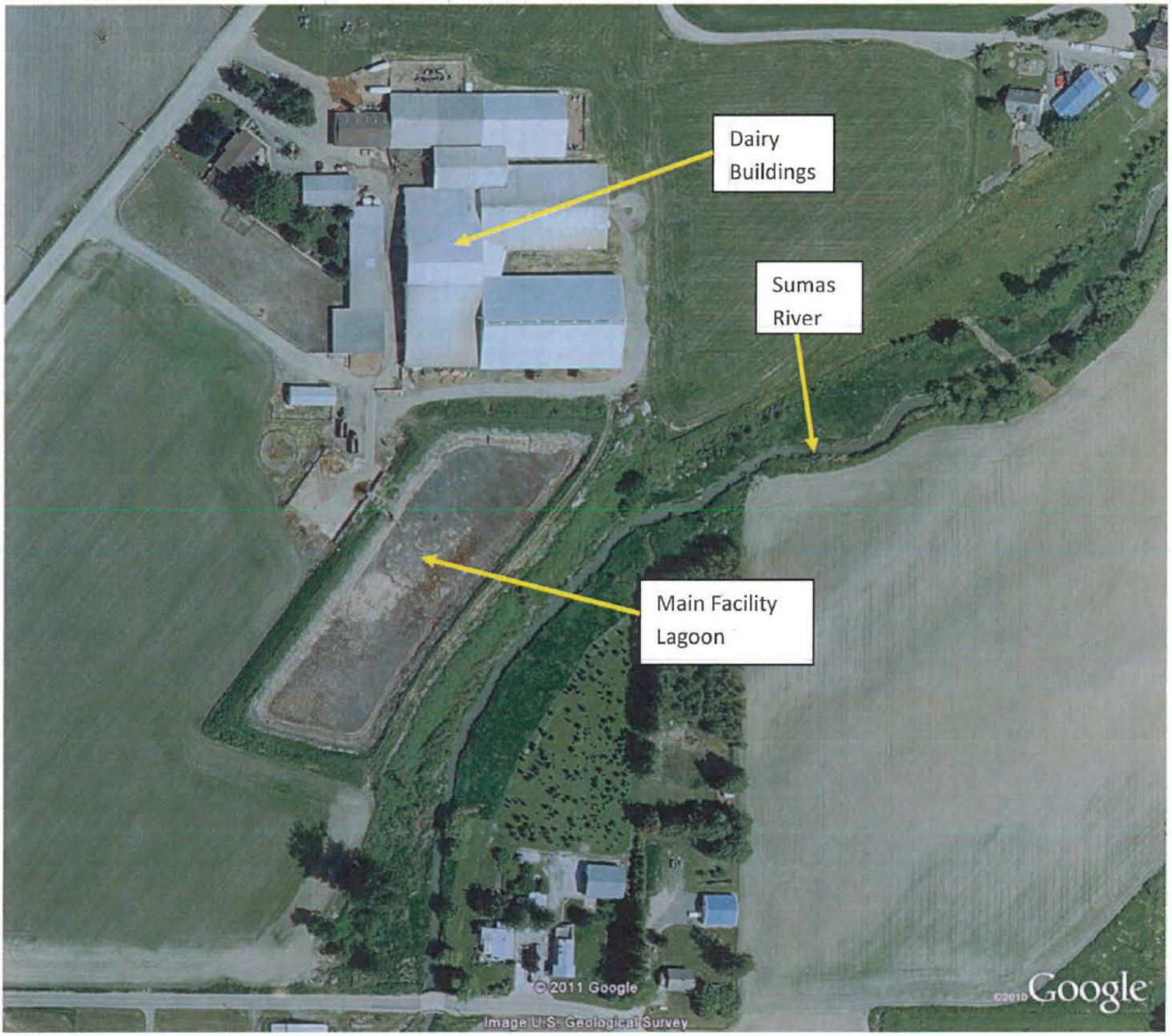
Lead Inspector Signature: Joel S. Ktz

ATTACHMENT A

Aerial Photographs

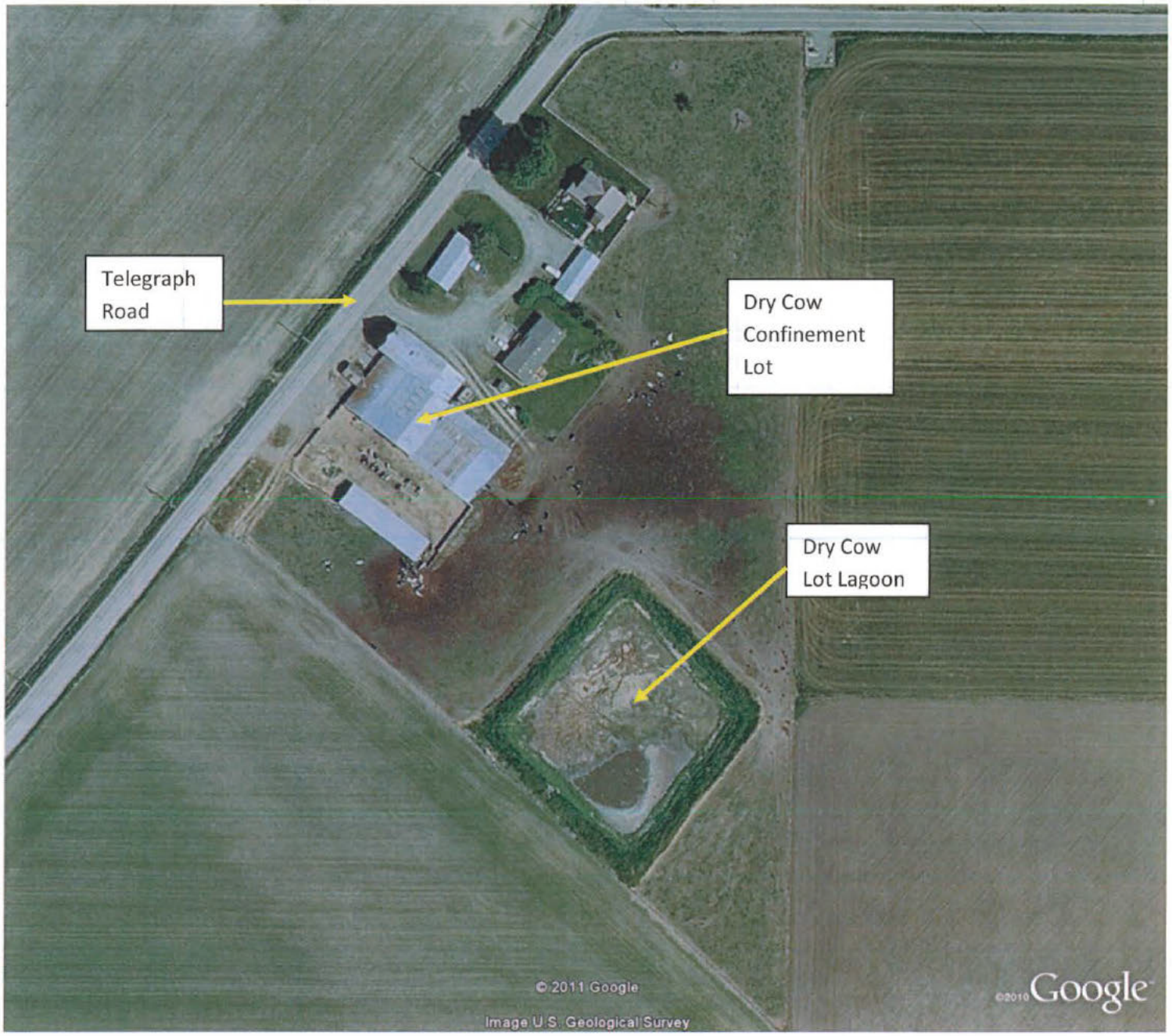
Aerial Photograph 1: Overview of entire facility.

Copied from Google Earth



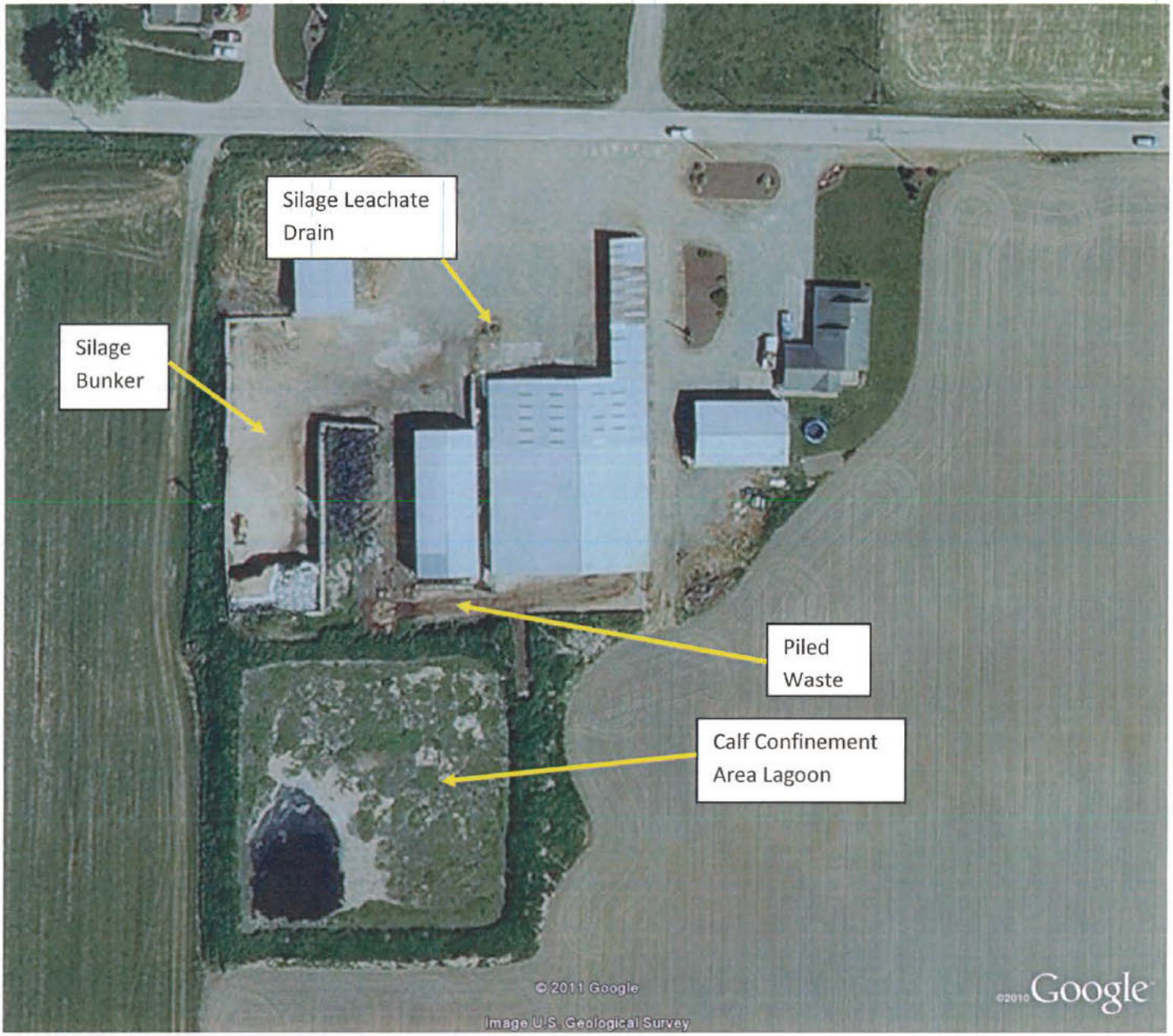
Aerial Photograph 2: View of the main dairy facility.

Copied from Google Earth



Aerial Photograph 3: View of the dry cow lot facility.

Copied from Google Earth



Aerial Photograph 4: View of the calf confinement facility.

Copied from Google Earth

ATTACHMENT B

Photograph Documentation

All photographs were taken by Joe Roberto on February 2, 2011.

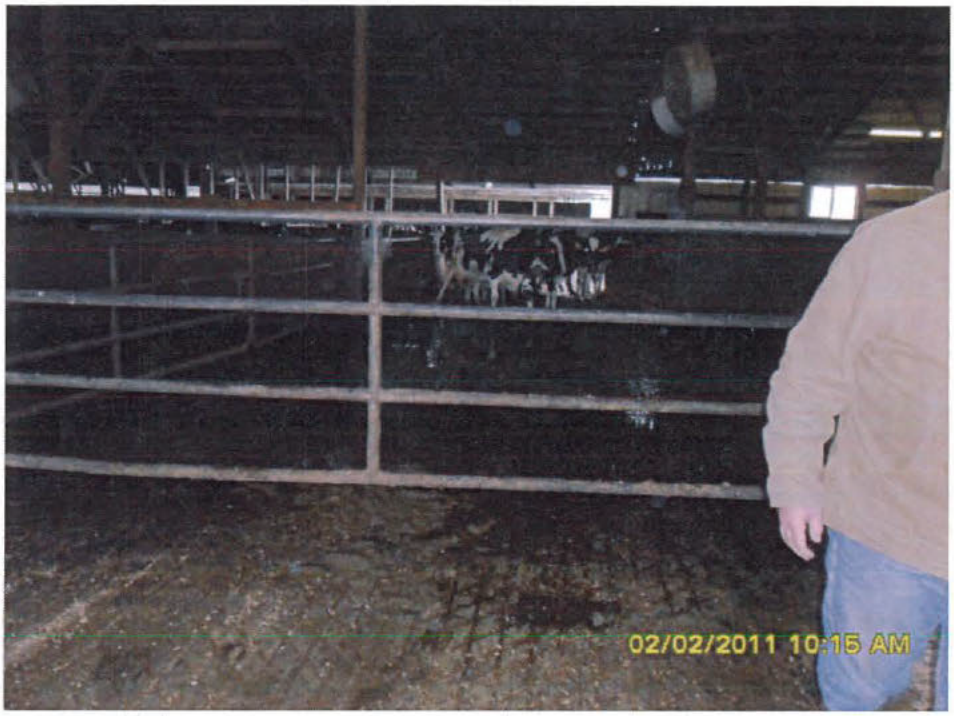


Photo #1: View of one of the confinement barns at the main facility. Waste from this barn is scraped.

Photo #2: View in the vicinity of the below ground tank at the main facility.

Photo #3: View of the solids separator at the main facility.

Photo #4: View of separated solids piled at the main facility. These separated solids are exported offsite and used on berry fields.

Photo #5: Southerly view of the lagoon at the main facility. Note the liquid waste entering the lagoon from the solids separator.

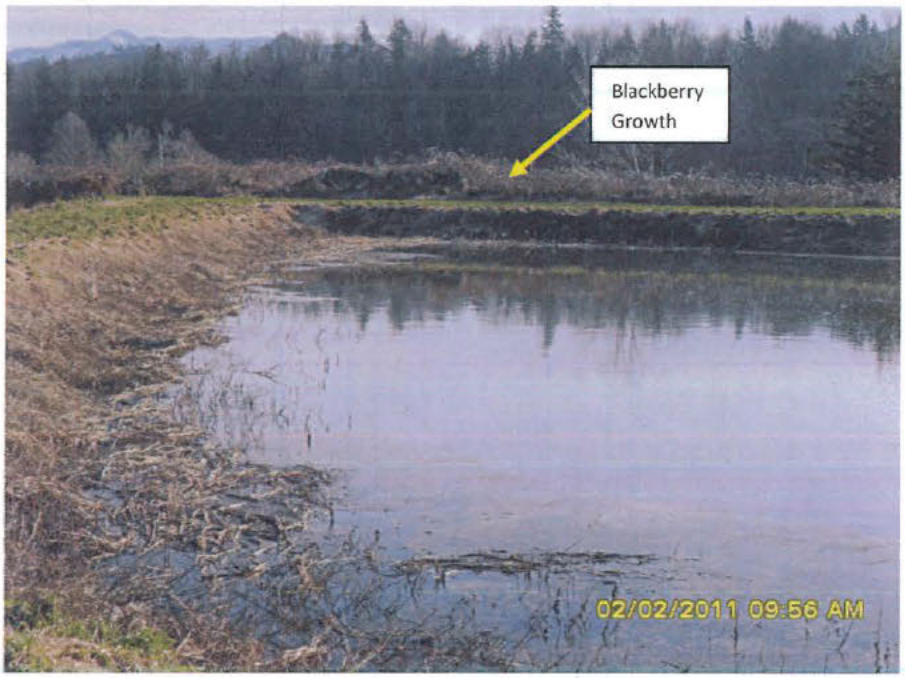


Photo #6: Easterly view of the lagoon at the main facility. Note the east side of the lagoon in the background. Also note the blackberry growth on the outside of this east lagoon wall.

Photo #7: Southwesterly view of the blackberry bushes near the northeast corner of the lagoon at the main facility.

Photo #8: Northeasterly view while standing on the eastern wall of the main facility lagoon. Note the blackberry bushes along the outside of the east lagoon wall. Also note the Sumas River on center.

Photo #9: Northwesterly view showing the dry cow lot confinement area.

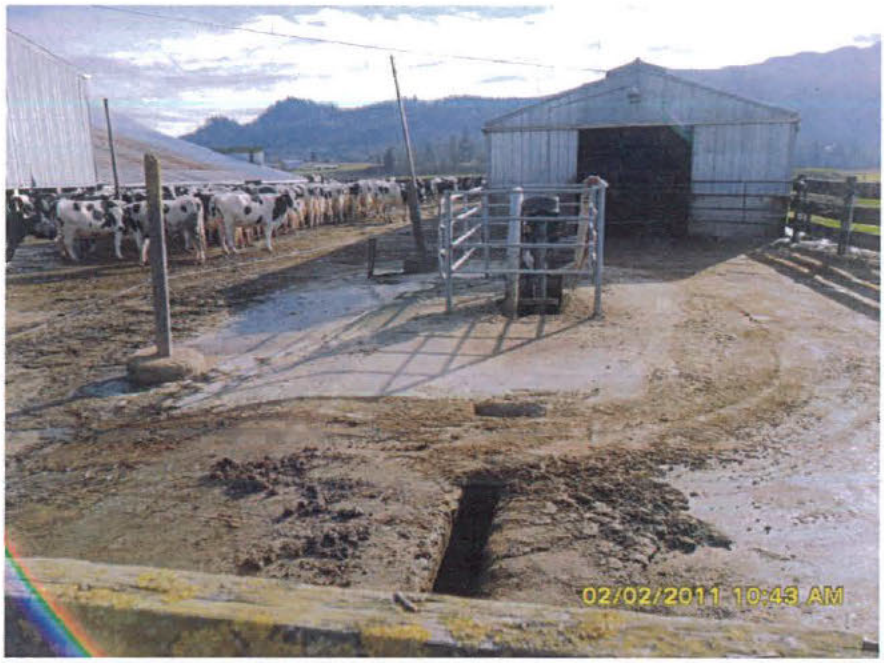


Photo #10: Southeasterly view of the dry cow lot. Note the area of the below ground pit in the foreground. Waste from this pit is pumped to the lagoon at the dry cow confinement area.

Photo #11: View of the lagoon at the dry cow lot.

Photo #12: View of the confinement barn at the calf confinement area.

Photo #13: Westerly view showing the piled waste which was scraped from the calf barn.

Photo #14: Close-up of the piled calf waste.

Photo # 15: Easterly view showing the frozen runoff from the piled calf waste. The slope of this concrete slab is down gradient toward the east, away from the waste pile.

Photo #16: Easterly view showing the piled calf waste on center and the north lagoon wall on the right.

Photo #17: Southerly view of the lagoon at the calf confinement area.

Photo # 18: View of a notch cut into the north wall of the calf confinement area lagoon.

Photo #19: Southerly view into the area of the notch in the calf confinement area lagoon.

Photo #20: Southerly view showing the silage leachate flowing in the vicinity north of the calf confinement area. This runoff is routed to a drain in the foreground prior to being pumped to the lagoon.

ATTACHMENT C

Washington State Department of Agriculture
September 29, 2010 Lagoon Assessment Report

Dairy Nutrient Management Program
PO Box 42560
Olympia WA 98504-2560
(360) 902-1982

DAIRY NUTRIENT MANAGEMENT PROGRAM
2010 LAGOON ASSESSMENT REPORT

Date: 9/29/10 Arrival Time: 1146

Facility Name: **RHODY DAIRY LLC** AG ID No: 9469

Facility operator: JAY DE JONG Phone:

Facility contact: Phone:

Facility Address:

9056 TELEGRAPH RD, SUMAS **48.97062/-122.26113**

Operator Mailing Address:

9056 TELEGRAPH RD, SUMAS, WA 98295

Lagoon ID/name	LAGOON 1	LAGOON 2 (heifers)	LAGOON 3 (heifers)
Long (decimal degrees)	-122.26009	-122.26621	-122.26983
Lat (decimal degrees)	48.96897	48.96555	48.97387
Solids (light, medium, heavy)	L	H	L
Dike condition (good, fair, poor)	G	G	G
Estimated current % storage volume full, accounting for slope	<10%	100%	<10%
More pump down recommended in preparation for winter?	N	Y	N
Solids cleanout recommended?	N	N	N

Comments:

DAIRYMAN PLANS TO PUMP DOWN/CLEAN OUT LAGOON 2 AND APPLY TO GRASS FIELDS ONCE MORE PRIOR TO THE END OF OCTOBER. LAGOON BANKS LOOK WELL MANAGED, COVERED IN GOOD GRASS COVER. HEAVY BLACKBERRY COVERING EAST OUTERBANK OF LAGOON 1 SHOULD BE REMOVED SO THAT LEAKAGE OR EVIDENCE OF CONDITIONS WHICH COULD LEAD TO LEAKAGE WOULD BE READILY OBSERVABLE.

☐ Southwest Region **Ginny Prest**
(360) 902-1928 FAX (360) 902-2000

☒ Northwestern Region **Steve Hulbert**
(360) 961-7412 FAX (360) 354-7421

☐ Eastern Region **Dan McCarty**
(509) 969-7140 FAX (509) 754-6019

☐ Puget Sound Region **Cara McKinnon**
(360) 202-3257 FAX (206) 632-7576

WSDA Inspector Signature 9/29/10 Date

Facility Contact Signature Date